Steven M. Bronson, Esq. (SBN 246751)
THE BRONSON FIRM APC
7777 Fay Avenue, Suite 202
La Jolla, CA 92037
Telephone: (619) 374-4130
Facsimile: (619) 568-3365
sbronson@thebronsonfirm.com

Ben I. Siminou, Esq. (SBN 254815)
SIMINOU APPEALS, INC.
2305 Historic Decatur Road, Suite 100
San Diego, CA 92106
Telephone: (858) 877-4184
ben@siminouappeals.com

Adam J. Schmidt, Esq. (SBN 256825)
LAW OFFICES OF ADAM J. SCHMIDT
4475 Mission Blvd., Suite 237
San Diego, CA 92109-3968
Telephone: (619) 980-6009
Facsimile: (619) 327-4164

Attorneys for Plaintiffs

FILED
Clerk of the Superior Court
SEP 16 2020
By: R. Cersosimo, Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO, CENTRAL DIVISION

DEAN TAKAHASHI, II, a minor by and through his Guardian Ad Litem Cheryl Kay Daily, LANI TAKAHASHI, an individual and as Successor-In-Interest to DEAN TAKAHASHI,

Plaintiffs,

v.

PRIME HEALTH CARE PARADISE VALLEY, LLC; SAMUEL KUGEL, MD; SAMUEL KUGEL MD INC; PRIME HEALTHCARE MANAGEMENT, INC. dba PARADISE VALLEY HOSPITAL; PRIME HEALTHCARE SERVICES, INC.; and DOES 5 through 20, inclusive,

Defendants.

Case No.: 37-2019-00020065-CU-MM-CTL

[~~PROPOSED~~] ORDER

Judge: Hon. Kenneth J. Medel
Dept.: C-66

Action Filed: April 9, 2019
Trial Date: December 18, 2020

Hearing Date: September 16, 2020
Hearing Time: 10:00 AM

On August 12, 2020, the Court issued its ruling, granting Plaintiff's motion, limited as set forth in the Order. On August 26, 2020, the Court *sua sponte* ordered a hearing for reconsideration of its August 12, 2020 Order, since the Court was concerned with the volume of records that may be involved in the production. The parties submitted briefing on the issue, which has been reviewed by the Court. The parties also appeared on September 16, 2020 at 10:00 a.m. for further argument. The Court, having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, modifies its August 12, 2020 Order regarding Plaintiff's Motion to Compel Further Responses to Requests for Production of Documents, Set Three, as set forth below.

THE COURT ORDERS:

Plaintiff's Motion to Compel Further Responses to Requests for Production of Documents, Set Three is **GRANTED**, limited as set forth below.

For any instance of ~~"self-harm," attempted "self-harm,"~~ suicide, or attempted suicide (collectively, the "Incidents"), at Defendant's Paradise Valley Hospital and Bayview Behavioral Health Hospital, in the five-year period from May 2, 2015, to the present, Defendant shall produce, with redactions of the patient's identifying information, all of the following records:

1) discharge summary(ies)

2) observation record(s) **limited to 48 hours before the Incidents**.

3) nursing documentation and/or archived notes **limited to 24 hours before the Incidents and 24 hours after the Incidents**.

4) admission summary or admission record.

5) nursing narrative(s) **limited to 24 hours before the Incidents and 24 hours after the Incidents**.

6) Consultation(s) while admitted, **limited to 24 hours before the Incidents and 24 hours after the Incidents**.

7) Incident report(s) of the Incidents; and

8) Video surveillance from five hours before discovery of the Incidents, to two hours after discovery of the Incidents.

To the extent any documents are withheld on the basis of Evidence Code 1157 or otherwise, defendants are to provide a privilege log.

Date: 9.16.20

By: _____
Hon. Kenneth J. Medel
Judge of the Superior Court